

This Final Action Agenda/Minutes is supplemented by electronic recordings of the meeting, which may be reviewed upon request to the Village "Clerk. Village Council meetings from June 8, 2016 forward can be viewed online at <http://estero-fl.gov/council/watch-meetings-online/>. Staff reports, resolutions, ordinances, and other documents related to this meeting are available at <https://estero-fl.gov/agendas/> at the corresponding agenda date.

DRAFT

FINAL ACTION AGENDA/MINUTES

**Village of Estero
9401 Corkscrew Palms Circle
Estero, FL 33928
Village Council Meeting
September 21, 2016 5:30 p.m.**

- 1. OPENING EXERCISES:** (Includes call to order, roll call, pledge of allegiance, announcements, proclamations, and ceremonial presentations)

Call to Order: 5:30 p.m.

Pledge of Allegiance: Led by Mayor Batos.

Invocation: Offered by Pastor Jim Reho – Lamb of God Church

Roll Call: Present: Mayor Nick Batos - District 6, Vice Mayor Howard Levitan - District 2, Councilmember Bill Ribble, District 1, Councilmember Donald Brown - District 3, Councilmember Katy Errington - District 4, Councilmember Jim Boesch - District 5, and Councilmember Jim Wilson - District 7.

Also present: Village Manager Steve Sarkozy, Village Attorney Burt Saunders, Village Clerk Kathy Hall, and Finance Director Lisa Pace.

- 2. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS:**

Motion: Move to approve the agenda.

Motion by: Councilmember Boesch

Seconded by: Councilmember Ribble

Action: Approved the agenda.

Vote:

Aye: Unanimous

Nay:

Abstentions:

3. PROCLAMATIONS:

- (a) Congratulating Lee Memorial Health System on its Centennial Anniversary and Recognizing Contributions to the Community

Mayor Batos read the proclamation and presented it to Nancy McGovern, Board Member, and Michael Nacheff, Director of Government Relations, Lee Memorial Health System.

Mayor Batos acknowledged and welcomed Cub Scout Pack 30.

4. CONSENT AGENDA:

- (a) Approval of August 31, 2016 Minutes
- (b) Approval of September 7, 2016 Minutes

Motion: Move to approve the Consent Agenda.

Motion by: Councilmember Ribble
Seconded by: Councilmember Errington

Action: Approved the Consent Agenda.

Vote:

Aye: Unanimous

Nay:

Abstentions:

5. PUBLIC HEARINGS:

- (a) Resolution No. 2016-28 A Resolution of the Village of Estero, Lee County, Florida, Adopting the Final Levying of Ad Valorem Taxes for the Village of Estero, Lee County, Florida, for Fiscal Year 2016-2017; and Providing an Effective Date

Village Clerk Hall read Resolution No. 2016-28 in its entirety. Village Manager Sarkozy provided explanation regarding agenda items 5 (a) and (b), including: accolades to the Finance Director for achieving the Certificate of Achievement for Excellence in Financial Reporting (CAFR) award for the first Village financial audit; the year ahead; construction projects; and proposed property tax rate. In following through with the Council's promise related to "Government Lite" the Village Manager proposed amending the fiscal year 2016-2017 ad valorem operating millage rate for tax (calendar) year 2016 from .8004 to .7998 in Resolution No. 2016-28.

Questions or Comments by: Councilmembers Boesch, Errington, Wilson, Brown, Ribble, Vice Mayor Levitan and Mayor Batos.

Discussion included the lowered tax rate and appreciation for the Council and dedicated staff.

Public Comment: None.

Motion: Move to adopt Resolution No. 2016-28, as amended.

Motion by: All 7 members of the Village Council

Seconded by: All 7 members of the Village Council

Action: Adopted Resolution No. 2016-28, as amended.

Vote:

Aye: Unanimous (roll call vote)

Nay:

Abstentions:

- (b) Resolution No. 2016-29 A Resolution of the Village of Estero, Lee County, Florida, Adopting the Final Budget for Fiscal Year 2016-2017; and Providing an Effective Date

Village Clerk Hall read Resolution No. 2016-29 in its entirety. Village Manager Sarkozy provided a brief statement.

Public Comment: None.

Motion: Move to adopt Resolution No. 2016-29.

Motion by: Councilmember Wilson

Seconded by: Councilmember Brown

Action: Adopted Resolution No. 2016-29.

Vote:

Aye: Unanimous (roll call vote)

Nay:

Abstentions:

6. ORDINANCES:

(a) SECOND READING AND PUBLIC HEARING:

- (1) Ordinance No. 2016-11 An Ordinance of the Village Council of the Village of Estero, Florida, Providing for and Approving the Authority of the Mayor to Execute an Interlocal Agreement with Lee County for the Continuation of the University Landscaping Operation and Maintenance Special Improvement Unit to Provide an Enhanced Level of Landscaping along Certain Portions of Corkscrew Road, Estero Parkway and Ben Hill Griffin Parkway within the Village Limits; Providing for a Term and an Effective Date

Village Clerk Hall read the title of Ordinance No. 2016-11.

Questions or Comments by: Councilmember Wilson.

Public Comment: None.

Motion: Move to adopt Ordinance No. 2016-11.

Motion by: Councilmember Ribble

Seconded by: Councilmember Errington

Action: Adopted Ordinance No. 2016-11.

Vote:

Aye: Unanimous (roll call vote)

Nay:

Abstentions:

- (2) Ordinance No. 2016-12 An Ordinance of the Village Council of the Village of Estero, Florida, Authorizing Lee County to Levy Special Assessments within Village Boundaries for Municipal Solid Waste Disposal Pursuant to §125.01(1)(Q), Florida Statutes; Providing for Conflicts of Law, Severability, and Scrivener's Errors; and Providing an Effective Date

Village Clerk Hall read the title of Ordinance No. 2016-12 and noted that the date on page 2, line 48 should read: September 7, 2016.

Public Comment: None.

Motion: Move to adopt Ordinance No. 2016-12, as amended.

Motion by: Councilmember Ribble

Seconded by: Councilmember Errington

Action: Adopted Ordinance No. 2016-12, as amended.

Vote:

Aye: Unanimous (roll call vote)

Nay:

Abstentions:

7. ACTION ITEMS:

- (a) Resolution No. 2016-24 A Resolution of the Village Council of the Village of Estero, Florida, Supporting the Everglades for the Next Generation Act, HR 4667 Providing Emergency Funding for Repairs to the Herbert Hoover Dike, the Everglades Land Acquisition Act of 2016, and the Federal Partnership for Clean Water Land Acquisition Act of 2016; and Providing an Effective Date

Note: This agenda item was continued at the August 17, 2016 meeting.

Village Clerk Hall read the title of Resolution No. 2016-24. Mayor Batos noted that revisions supplied by James Evans, City of Sanibel Natural Resources Director, were included in the resolution.

Public Comment: None.

Motion: Move to adopt Resolution No. 2016-24.

Motion by: Councilmember Boesch
Seconded by: Councilmember Errington

Action: Adopted Resolution No. 2016-24.

Vote:

Aye: Unanimous (roll call vote)

Nay:

Abstentions:

(b) Letters to Congressman Curt Clawson and Senator Bill Nelson, Supporting Key Pieces of Legislation

Note: This agenda item was continued at the August 17, 2016 meeting.

Mayor Batos provided a brief statement regarding the letters.

Public Comment: None.

Motion: Move to authorize the Mayor to sign letters to Congressman Curt Clawson and Senator Bill Nelson, supporting key pieces of legislation.

Motion by: Councilmember Wilson
Seconded by: Vice Mayor Levitan

Action: Authorized the Mayor to sign letters to Congressman Curt Clawson and Senator Bill Nelson, supporting key pieces of legislation.

Vote:

Aye: Unanimous

Nay:

Abstentions:

(c) Resolution No. 2016-25 A Resolution of the Village Council of the Village of Estero, Florida, Approving, for the Purposes of Section 147(F) of the Internal Revenue Code and for Purposes of Florida Inter-Governmental Cooperation, the Issuance by the Capital Trust Agency of its Senior Housing Revenue Bond Anticipation Notes (The Colonnade of Estero Project), Series 2016, in One or More Series, either Taxable or Tax-Exempt, or Both, Pursuant to a Plan of Finance, in an Aggregate Principal Amount not to Exceed \$20,000,000, and Senior Housing Revenue Bonds (The Colonnade of Estero Project), Series 2016, in One or More Series, either Taxable or Tax-Exempt, or Both, Pursuant to a Plan of Finance, in an Aggregate Principal Amount not to Exceed \$150,000,000, for the Purpose of Financing the Costs of Such Facility, as more Fully Described Herein; Affirming the Purpose and Function of VOANS SW Florida Healthcare, Inc.; and Providing an Effective Date

Village Clerk Hall read the title of Resolution No. 2016-25. Village Manager Sarkozy provided explanation regarding the project.

Village Attorney Saunders referred to an email from Jennifer LaRocco, Gray Robinson, which indicated that the Village was simply assisting with financing by passing the resolution; he assured Council that there were no liabilities involved.

Public Comment: None.

Motion: Move to adopt Resolution No. 2016-25.

Motion by: Councilmember Boesch
Seconded by: Councilmember Errington

Action: Adopted Resolution No. 2016-25.

Vote:

Aye: Unanimous (roll call vote)

Nay:

Abstentions:

(d) Agreement for Election Services between the Village of Estero and Sharon Harrington, the Supervisor of Elections of Lee County, Florida

Village Manager Sarkozy and Village Attorney Saunders spoke briefly regarding the revised agreement; further information was expected from the Supervisor of Elections. The agreement was continued to the October 5, 2016 agenda.

Brief discussion followed regarding a “Q & A” prepared by the Village Attorney’s office which was suggested as an addendum to the agreement; early voting; preparation of the resolution that is required pursuant to the agreement; and the possibility of moving the election date to the presidential preference date.

Public Comment: None.

8. **WORKSHOP ITEMS:** None.

9. **PUBLIC COMMENT ON NON-AGENDA ITEMS:**

Beverly MacNellis conveyed praise for Marilyn Edwards.

10. **COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS:**

Brief discussion regarding the Mayor’s speech at the September 19, 2016 Donald Trump presidential campaign rally held at Germain Arena.

11. **VILLAGE ATTORNEY’S REPORT:**

None.

12. VILLAGE MANAGER'S REPORT:

None.

A motion to adjourn was duly made and passed.

13. ADJOURNMENT: 6:25 p.m.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: _____
Kathy Hall, MMC, Village Clerk

By: _____
Nicholas Batos, Mayor